

REMARKS

Upon entry of this paper, claims 1 and 5 are amended. Claims 4 and 10-18 were previously canceled. Claims 21 and 22 are added. No new matter is introduced. Claims 1-3, 5-9 and 19-22 are pending, of which claims 1 and 5 are independent. Applicants respectfully submit that the pending claims define over the art of record.

Claim Rejections under 35 U.S.C. §112

Claims 1-3, 5-9, 19 and 20 are rejected under 35 U.S.C. § 112, second paragraph. The Examiner suggests amending the claims to recite different terms to characterize the anodes and cathodes on the opposite, i.e. second, side of the apparatus. Applicants thank the Examiner for his extremely helpful comments.

The claims recite terms “first” and “second” to identify the anodes and cathodes on the first side of the apparatus. The Examiner suggests using terms “third” and “fourth” to identify the anodes and cathodes on the second side of the apparatus. The Examiner indicates that the claims have been interpreted in this manner and that the claims distinguish over the Choi reference if amended in this way. The Examiner also suggests removing the language “electrically coupled with” from the preamble.

Applicants amend the claims as suggested by the Examiner. Applicants add new claims 21 and 22 to further define the structure of the fuel cell unit of claim 1 and the fuel cell system of claim 5. Claims 21 and 22 recite the power generation units formed by each anode-cathode pair. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 1-3, 5-9, 19 and 20 under 35 U.S.C. §112.

CONCLUSION

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Please charge any shortage or credit any overpayment of fees to our Deposit Account No. 12-0080, under Order No. TOW-063. In the event that a petition for an extension of time is required to be submitted herewith, and the requisite petition does not accompany this response, the undersigned hereby petitions under 37 C.F.R. § 1.136(a) for an extension of time for as many months as are required to render this submission timely. Any fee due is authorized to be charged to the aforementioned Deposit Account.

Dated: April 8, 2008

Respectfully submitted,

By /Anthony A. Laurentano/
Anthony A. Laurentano
Registration No.: 38,220
LAHIVE & COCKFIELD, LLP
One Post Office Square
Boston, Massachusetts 02109-2127
(617) 227-7400
(617) 742-4214 (Fax)
Attorney/Agent For Applicant